IN THE HIGH COURT OF JUDICATURE :: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

WRIT PETITION No. 2241OF 1990

PETITIONER : Khem Singh, S/o. Moolchand Singh Aged about 62 years, cultivator, R/o. Ward No. 6, Sarangarh, District Raigarh, M.P.

Versus

RESPONDENTS

1. District Judge, Raigarh
2. Civil Judge Class II, Sarangarh, Distt. Raigarh
3. Habib Khan, S/o. Gulab Khan, Aged about 75 years.
4. Saheb Khan, S/o. Habib Khan, Aged about 55 years
5. Naseeb Mohammed, S/o. Gulab Mohammed, Aged about 41 years.

Nos. 3 to 5 residents of Ward No.7 Sarangarh, Tahsil Sarangarh, Distt. Raigarh, M.P.

Present : Mrs. Hamida Siddiqui, learned counsel for the petitioner.
Mr. Amrito Das, learned counsel for the respondents.

ORAL ORDER

(Passed on 8th December 2005)

Heard.

What arises for decision-making in this writ petition under Article 227 of the Constitution of India is whether the judgment-debtor has satisfied the decree secured by the petitioner/plaintiff. The execution Court as well as the Appellate Court have recorded

a concurrent finding of fact that the decree is fully satisfied by the judgment-debtor.

Having heard learned counsel for the parties and perused the impugned order, I am of the considered opinion that the finding recorded by both the Courts below are based on substantial materials and evidence. There is no merit in this writ petition. Accordingly, it is dismissed, however, with no order as to costs.

Sd/-
Chief Justice